

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY BUENOS AIRES

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E.O. 11652:N/A

TAGS: EAIR, AR

SUBJECT: CIVAIR: GROUND HANDLING

REF: A) BUENOS AIRES 7746; B) STATE 202641

1. WE BELIEVE A UNILATERAL REPRESENTATION TO GOA RE GROUND HANDLING ISSUE IS NOW TIMELY. IN VIEW REF A, MULTILATERAL APPROACH (ESPECIALLY WITH BRAZILIANS) APPEARS TO BE NON STARTER. NOT ONLY COULD US BE PERCEIVED AS EXERCISING UN-DUE DIPLOMATIC PRESSURE TO PROTECT COMMERCIAL INTERESTS OF ITS AIRLINES IN ARGENTINA, BUT WE COULD BE ACCUSED OF DOING SO IN COLLUSION WITH ARGENTINA'S TRADITIONAL RIVAL IN SOUTH AMERICA. ALSO, US-BRAZIL BILATERAL APPROACH MAY NOT BE INTERPRETED AS HAVING SUFFICIENTLY WIDE BASIS TO REFLECT ANY SORT OF INTERNATIONAL CONSENSUS. TIME IS SHORT SINCE US AIRLINES SERVING ARGENTINA MUST SOON DECIDE WHETHER OR NOT TO SELL THEIR GROUND HANDLING EQUIPMENT IN BUENOS AIRES. AEROLINEAS REPORTEDLY NOW BIDDING ON PAN AM'S EQUIPMENT; IF REBUFFED ARGENTINES MAY LOOK ELSEWHERE. IF US CARRIERS UNABLE TO OBTAIN REVERSAL ON GROUND HANDLING POLICY THEY MAY THUS BE STUCK WITH EQUIPMENT.

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BOTH US CARRIERS SERVING ARGENTINA NOW FAVOR US UNILAT-

ERAL DIPLOMATIC INITIATIVE RE GROUND HANDLING.

2. IF EMBASSY CONCURS, PLEASE DELIVER NOTE TO MINISTRY OF FOREIGN AFFAIRS ALONG FOLLOWING LINES:

"...AND HAS THE HONOR TO BRING TO THE MINISTRY'S ATTENTION CERTAIN MATTERS RELATING TO THE PROVISION OF GROUND HANDLING AT EZEIZA AIRPORT FOR US AIRLINES SERVING BUENOS AIRES.

"DECREE NUMBER 2145 OF MARCH 20, 1973 GIVES THE ARGENTINE AIR FORCE FULL AUTHORITY TO ORGANIZE AIRLINE GROUND HANDLING SERVICES WITH THE QUALIFICATION THAT PRIORITY IS TO BE ACCORDED TO ARGENTINE STATE ENTERPRISES. IN ACCORDANCE WITH THIS DECREE, THE UNITED STATES AIRLINES SERVING BUENOS AIRES WOULD BE REQUIRED TO CEASE PERFORMING THEIR OWN GROUND HANDLING AND TO PURCHASE GROUND HANDLING SERVICES FROM THE ARGENTINE AIRLINE, AEROLINEAS ARGENTINAS, BY JANUARY-MARCH 1975.

"IT IS THE VIEW OF THE USG THAT GROUND HANDLING OF AN AIRLINE'S AIRCRAFT IS INHERENTLY PART OF AND INSEPARABLE FROM THE OVERALL SCOPE OF SERVICES OF COMMERCIAL AVIATION OPERATIONS AND THAT AIRLINES SHOULD BE FREE TO PERFORM THIS SERVICE THEMSELVES OR BY AN AGENT OF THEIR CHOICE. THIS CONCEPT IS RECOGNIZED IN THE RECENTLY ADOPTED AMENDMENT TO ICAO ANNEX 9-FACILITATION, WHICH READS AS FOLLOWS: "6.4 RECOMMENDED PRACTICE - IT IS RECOMMENDED THAT THE AIRLINES BE OFFERED THE CHOICE OF PROVIDING THEIR OWN SERVICES FOR GROUND HANDLING OPERATIONS, OR OF HAVING SUCH OPERATIONS PERFORMED ENTIRELY, OR IN PART, BY AN ORGANIZATION CONTROLLED BY ANOTHER AIRLINE AUTHORIZED BY THE AIRPORT AUTHORITY OR BY THE AIRPORT OPERATOR, OR BY A SERVICING AGENT LICENSED BY THE AIRPORT AUTHORITY."

"THE ARGENTINE DECREE APPEARS TO CONTRAVENE THE FOREGOING INTERNATIONAL PRACTICE AS RECOMMENDED BY THE ICAO COUNCIL.

"MOREOVER, THE USG WISHES TO POINT OUT THAT AEROLINEAS LIMITED OFFICIAL USE

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ARGENTINAS IS FREE TO PERFORM ITS OWN GROUND HANDLING IN THE UNITED STATES OR TO HAVE THIS SERVICE PERFORMED IN THE UNITED STATES BY AN AGENT OF ITS CHOICE.

"ACCORDINGLY, IN THE INTEREST OF COMITY AND RECIPROCITY, THE USG REQUESTS THAT THE ARGENTINE GOVERNMENT EXEMPT UNITED STATES AIRLINES FROM THE DECREE AND PERMIT THEM TO CONTINUE TO PERFORM THEIR OWN GROUND HANDLING.

"COMPLIMENTARY CLOSE." KISSINGER

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